

REMARKS

Applicants' undersigned attorney thanks the Examiner for her comments. Applicants respectfully request reconsideration of this patent application, particularly in view of the above Amendment and the following remarks. Currently, Claims 1-72 are pending, with Claims 1-15 and 43-72 withdrawn from consideration.

Amendment to the Claims

Claims 16-42 have been examined, with no claims being allowed.

Applicants have amended Claim 16 to include the limitation of the red blood cell lysing agent and the gelling agent being separate and not integrated on the layer. Applicants have amended Claim 27 to include the limitation of the first layer not being treated with the gelling agent. Support for these limitations is provided at page 5, line 19 – page 6, line 4, and at page 16, lines 8-15.

No new matter has been added by this Amendment. No additional fee is due for this Amendment because the number of independent claims remains unchanged and the total number of claims remains unchanged.

Claim Rejections - 35 U.S.C. §102

The rejection of Claims 16-42 under 35 U.S.C. §102(b) as being anticipated by Luccio et al. (U.S. Patent Application No. 2002/0040210 A1, hereinafter "Luccio") is respectfully traversed.

Luccio discloses a personal care absorbent article including a nonwoven web material having at least one treatment chemistry suitable for modifying at least one characteristic of a high viscoelasticity fluid upon contact with the high viscoelasticity fluid.

Applicants' invention is directed to a treatment for absorbent materials that allows the absorbent materials to effectively handle red blood cells. The treatment may include a gelling agent and a red blood cell lysing agent applied separately, either applied to separate components or layers, or applied to separate regions of the same layer.

For a reference to anticipate a claim, the reference must disclose each and every element or limitation of the claim. Luccio does not disclose each and every limitation of amended Claims 16 and 27.

Luccio discloses the application of a gelling agent to just a central region or to just the side edges of an absorbent layer, but fails to disclose or suggest the application of a red blood cell lysing agent to just a central region of an absorbent layer, and further fails to disclose or suggest a combination of a red blood cell lysing agent applied to a central region and a gelling agent applied to a peripheral region of the same layer, wherein the gelling agent and the red blood cell lysing agent are separate and not integrated on the layer. Thus, Luccio fails to disclose or suggest each and every element or limitation of Claim 16.

Applicants' amended Claim 27 recites a first layer treated with a red blood cell lysing agent, a second layer treated with a gelling agent, and precludes the incorporation of both the red blood cell lysing agent and the gelling agent on the first layer of an absorbent laminate. Luccio discloses the application of at least one treatment of chemistry on nonwoven webs, including multilayer materials. However, Luccio fails to disclose or suggest the application of separate chemistries on separate layers of a multilayer material.

Applicants' example on pages 20-21 demonstrates the improvement, or synergistic effect, of separate and sequential exposure of menses simulant to a red blood cell lysing agent and then to a gelling agent, compared to the concurrent exposure of menses simulant to the red blood cell lysing agent and the gelling agent. More particularly, by exposing menses simulant first to the red blood cell lysing agent and then, separately, to the gelling agent, the rate of gelling is greater than when exposing menses simulant to the red blood cell lysing agent and the gelling agent simultaneously. Applicants' invention as recited in amended Claims 16 and 27 is derived from the synergistic effects demonstrated in the example on pages 20-21. Luccio fails to disclose or suggest separate and sequential exposure of menses simulant or any other high viscoelasticity fluid to a red blood cell lysing agent and a gelling agent, and thus fails to disclose or suggest any of the absorbent materials recited in Applicants' Claims 16 and 27.

For at least the reasons presented above, Applicants respectfully submit that amended Claims 16 and 27 are not anticipated by Luccio. Because Claims 17-26 depend from Claim 16, and Claims 28-42 depend from Claim 27, Applicants respectfully submit that these claims are also not anticipated by Luccio. Thus, Applicants respectfully request withdrawal of this rejection.

Conclusion

Applicants believe that this case is now in condition for allowance. If the Examiner feels that any issues remain, then Applicants' undersigned attorney would like to discuss the case with the Examiner. The undersigned can be reached at (847) 490-1400.

Respectfully submitted,



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